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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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KURT L. VAN VOORHIES, PH.D., P.E., P.C.
P.O. BOX 68
DETOUR VILLAGE, MI 49725

EXAMINER

SHAH, KAMINI S

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 02/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/025,316	Applicant(s) ALISUAG, CORA	
	Examiner Kamini S. Shah	Art Unit 2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 20-43 is/are rejected.
- 7) ☒ Claim(s) 15-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>06/02/02,04/15/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-13, 23-43 are rejected under 35 U.S.C. 102(b) as being anticipated by Bob Gogligoski et al., "The SanDisk. Personal Tag (P-Tag): Background Applications Report" 4 pages, October 1999 cited by applicant.

Regarding to claimed invention, Gogligoski teaches solid-state personal storage device – the P-Tag which is electronic device capable of storing information about person carrying it. Regarding to claimed method for providing for a server on a computer comprising communicating with a first client, wherein first client performs:

i. reading portable memory element, such as medical emergency personnel can use the information on a card, **see Introduction;**

ii. obtaining passcode information necessary to access data from said memory element, such P- tag has unique serial number enabling application developers to devise appropriate levels of security, **see P-Tag Technology, 4th paragraph;**

iii. providing for authenticating said passcode information, such as organization can use this serial number to identify the person to whom the P-Tag has been issued, **see P-Tag Technology, 4th paragraph;**

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b. providing a first passkey to first client if the passcode information is authentic, such as serial can be used as part of a key used to encrypt sensitive data, **see P-Tag**

Technology, 4th paragraph;

c. communicating with at least second client, such as authorized health care staff can update the card with patient's latest medical information while the patient is still in the clinic, **see Need for High Capacity;**

d. receiving a second passkey from said second client, such as emergency services personnel can quickly access information stored on a P-Tag;

e. enabling second client to communicate with first client if second passkey corresponds to first passkey, **see Connectivity Solutions, and Military Personnel Health Market**, such as medics will use portable readers to access critical information directly and will be able to dictate into the P-Tag using a digital voice recorder or handheld PC recording capability.

Regarding claim 2, such as encrypting signals that are sent to first client, and decrypting signals that are received from first client, **see P-Tag Technology**, flash memory of P-Tag encrypts sensitivity data of the serial number that is used as part of a key, and on board microcontroller provides the interface between the host system and the low-power flash memory for decrypting received signal, **see P-Tag Technology**.

Regarding to claim 3, wherein portable memory comprises a memory card, **see Introduction**, such as P-Tag is an electronic device capable of storing information on a memory card.

Regarding claim 4, wherein data comprising medical information of a person, **see**

Introduction.

Regarding claim 5, wherein passcode information comprises fingerprints of a person, **see P-Tag Technology**, wherein P-Tag is perfect for organizations that need fingerprint images.

Regarding claim 6, wherein passcode information comprises alphanumeric or biometric information, **see P-Tag Technology**, wherein each P-Tag has a unique serial number enabling application.

Regarding claim 7, wherein first client is mobile, such as a person to whom the P-Tag has been issued.

Regarding to claims 8-13, the claimed features are inherently disclosed in the Introduction section as following:

P-Tags are ideal for storing comprehensive medical information about a person, and supplying that information quickly and accurately to emergency personal. Medical emergency personal can use the information on a card but in addition, they can also dictate onto the card all of the key critical observations and treatments given at the site so that doctors can reply the message as the hospital and improve their quality of care.

Regarding claims 23-43, which recites claim subject matter that is substantially similar to claims 1-13, and therefore rejected for the similar reasoning.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 14, 20 -22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bob Gogligoski et al., "The SanDisk. Personal Tag (P-Tag): Background Applications Report" 4 pages, October 1999 cited by applicant in view of David Forslund, "TeleMed Introduction", 08/15/02.

Regarding to claimed invention of claims 20-23, Gogligoski teaches on-board microcontroller which provides an interface between the host system and the low-power flash memory in the P-Tag, the storage device comprises:

A means for communicating with a first client, such as controller on board **See P-Tag Technology, 2nd paragraph;**

A means for receiving a first signal from first client such as to authorized to access a portable memory element; and means for providing a passkey to said first client, such as the serial number is used to identified the person to whom the P-Tag has been issued, **See P-Tag Technology, 4th paragraph;**

Means for communicating with second, such as authorized health care staff can update the card with patient's latest medical information while the patient is still in the clinic, **see Need for High Capacity;**

means for providing second client if second client comprises a second passkey from said second client, such as emergency services personnel can quickly access information stored on a P-Tag, **see Connectivity Solutions, and Military Personnel Health Market**, such as medics will use portable readers to access critical information

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directly and will be able to dictate into the P-Tag using a digital voice recorder or handheld PC recording capability.

Gogligoski teaches the method and system of providing a server on computer as discussed, but does not suggest the server of a CORBAMED system. However, Forslund discloses well known system in the health-care environment system called TeleMed and also known as OpenEMed, which utilizes Java/Corba based architecture. OpenEMed consists of a set of interoperable components based on the emerging CORBAMED interface standards. It would have been obvious to one of the ordinary skill in the art at the time of invention to integrate the P-Tag electronic storage device together with TeleMed systems' CORBAMED interface standard, since both are developed for health care environment, and would maintain security of data.

Allowable Subject Matter

5. Claims 15-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The cited prior art does not teach COMBAMED further comprising different serves as in claim 15 and at least one trait according to claims 16-19.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kamini S. Shah whose telephone number is 571-272-2279. The examiner can normally be reached on IFP.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack B. Harvey can be reached on 571-272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kamini S Shah
Primary Examiner
Art Unit 2142

kss